



## Acts and Laws

Passed by the Great and General Court or Assembly of His Majesty's Province of the *Massachusetts-Bay* in *New-England*: Begun and Held at *Boston* upon Wednesday the twenty-eighth Day of *May*, 1755. And continued by sundry Prorogations and Adjournments to Tuesday the thirtieth Day of *March* following, and then met.

### C H A P. XXXIV.

An Act for preventing Petitions to the General Court relating to Licences for Retailing strong Drink, and keeping Houses of publick Entertainment.

**W**HEREAS Petitions have often been preferred to the Great and General Court, for enabling the Courts of General Sessions of the Peace to grant Licences to Inn-holders and Retailers of strong Drink, whereby the publick Affairs of the Province have been much interrupted, and the several Sessions of this Court protracted:

Preamble:

Therefore for preventing such Inconvenience for the future:

Be it enacted by the Governour, Council and House of Representatives, That upon Application made to the Court of General Sessions of the Peace in any County within this Province, at any of the Terms by Law appointed for holding the same in such County, for Licence to keep an Inn, Tavern or other House of publick Entertainment, or to Retail strong Liquors, the Justices of such Court are hereby authorized at such Term to grant such Licence, in Case they shall judge it necessary or of publick Convenience, and the Person applying therefor be suitably qualified for such Employment, and recommended in Manner as the Law directs; and the House in which he is to exercise such Licence, be commodiously situated for the Entertainment of Travellers and other publick Uses.

Court of Sessions to grant Licences if they think fit.

Provided, That no such Licence be firstly or originally granted at any Time after the Term by Law appointed for granting of Licences in such County, nor to any Person who shall have applied for a Licence at such Term, and shall have been denied the same, (unless it shall evidently appear that the Cause of such Denial be then removed); nor shall any Licence be granted on any other Day of the Sitting of such Court, but that whereon the Justices of such County have been wont to give their more general Attendance.

Time for granting Licences.

[ N n n ]

And

## Levying Soldiers.

*And whereas the granting of Licences at any Term of such Court's Sitting, frequently and indiscriminately, and the countenancing any unseasonable Applications for them, may be attended with no small Inconvenience :*

Persons not applying for Licences at the Time appointed, to be excluded, unless.

Be it therefore further enacted, That no Person applying for such Licence at any other Term of such Court's Sitting, than that by Law assigned for granting Licences, shall be admitted thereto, who shall not pay and deliver into the Hands of the Clerk of such Court (besides the appointed Fee) the Sum of *twelve Shillings*, to be by such Clerk delivered to the Treasurer of such County for the County's Use ; unless it shall appear to the Satisfaction of the Justices, that the Nature of the Case or Circumstances attending it, would not admit of an earlier Application, or that the Petitioner by some providential and unavoidable Lett or Hindrance was prevented doing it ; in which Case no more shall be demanded than the appointed Fee.

Limitation.

This Act to commence on and from the twentieth Day of *April* Instant, and to continue in Force until the first Day of *April*, which will be in the Year of our Lord One Thousand seven Hundred and fifty-nine, and no longer.

[ *The foregoing Act was Published April 8. 1756.* ]

C H A P. XXXV.

An Act for the more speedy levying of Soldiers for the Expedition against *Crown-Point*.

Preamble.

**W**HEREAS this Government in Conjunction with the other Governments in New-England and New-York, have judged it necessary that there be a new Expedition formed against *Crown-Point*, and this Government have determined to raise for said Expedition Three Thousand five Hundred Men including Officers, to form an Army with what shall be raised by the other Governments, under the Command of Major-General Winslow : *Do* Wherefore for the more speedy and effectual raising and levying of Soldiers for the Service aforesaid :

Manner of notifying the Muster of the several Companies of Militia in order to raise Volunteers, &c.

Be it enacted by the Governour, Council and House of Representatives, That there be and hereby is ordered to be a general Muster of all the Companies both of Horse and Foot in all the Regiments within this Province, on the twenty-second Day of *April* Instant, and if the Number of *Three Thousand five Hundred Men* including Officers, shall not be enlisted before that Time, it shall and may be lawful to compleat the same by an Impress, and upon due Warning given (pursuant to the Order of the Captain or Commanding Officer of the several Troops or Companies) by one of the Sergeants or Corporals of the several Troops and Companies, to each Person belonging to the same, either in Person, or in Case of his Absence from Home, by leaving a Notification in Writing at the usual Place of his Abode, for mustering the said Companies of Horse and Foot for the Purposes before mentioned, Every Person (who by Law is obliged to attend military Musters) whether belonging to any Troop or Foot Company shall punctually attend and continue at such Muster at the Time and Place that shall be appointed therefor, on Pain of incurring the Penalty of *twenty Pounds*, unless it shall appear on Trial of the Offence, that his Attendance was necessarily and unavoidably prevented ; to be recovered by Action of Debt, with full Costs of Suit, to be brought by the Clerk of the respective Troops or Companies to which such Person not appearing as aforesaid belongs, who is hereby impowred to commence and prosecute such Action ; and if such delinquent Person be a Son under Age, or a Servant, the said Action to be brought against and Penalty recovered of his Parent or Master, one third Part of said Penalty to be

Fine in Case of Non-appearance.



## Militia.

223

be for the Uſe of the Clerk who ſhall ſue for the ſame, and the remaining two Thirds for the Uſe of the Town where the Defendant lives.

And every Perſon who ſhall be impreſſed by the Commanding Officers of each Company or Troop, or ſuch Perſon as he ſhall appoint for the Service aforeſaid, ſhall duly attend the ſame, either by himſelf or by ſome other effective able-bodied Perſon in his Stead, on Penalty of the Sum of *Ten Pounds*, unleſs he ſhall have had a Diſcharge from ſuch Impreſs in Writing under the Hand of the Captain or Chief Officer of ſuch Company or Troop or Regiment, or of the Commander in Chief of this Province; to be recovered by Warrant from the Captain or Chief Officer of ſuch Company directed to the Clerk of ſuch Company or Troop, to levy by Diſtreſs and Sale of the Goods and Chattles of ſuch Offender, or of the Goods and Chattles of his Parent or Maſter, in Caſe ſuch impreſſed Perſon be a Son under Age or a Servant; and the ſaid Clerk is hereby fully impowered and required to levy and collect the ſaid Sum in ſuch Manner as Conſtables of Towns and Diſtricts within this Province are impowered to levy Town Taxes, and for want of Goods and Chattles whereon to make Diſtreſs, to commit ſuch Offender to the common Goal of the County, there to remain 'till ſuch Time as the ſame Fine and Charges are paid; which ſaid Fine of *Ten Pounds* when received ſhall be diſpoſed of as Fines are for Perſons impreſſed not attending the Service, by Virtue of an Act of this Province made and paſſed in the twenty-ſeventh Year of his preſent Maſteſty's Reign, Intituled *An Act for levying of Soldiers, and to prevent Soldiers and Seamen in his Maſteſty's Service from being arreſted for Debt.*

*Fine for not  
ſerving when  
Impreſs'd.*

*Manner of  
Recovery.*

[ The foregoing Act was Published April 15. 1756. ]

## C H A P. XXXVI.

An Act in Addition to an Act Intituled, *An Act for  
Regulating of the Militia.*

**W**HEREAS by an Act of this Province made in the fifth Year of the Reign of their late Maſteſties William and Mary, Intituled An Act for Regulating of the Militia, ſeveral Perſons are excuſed from all Trainings, Military-Watches and Wardings; and the Government being oftentimes neceſſitated to borrow Money for the publick Service, and it may expedite the raiſing of Money for that Service, if the Lenders were excuſed from the aforeſaid Duties:

Wherefore,

Be it enacted by the Governour, Council and Houſe of Repreſentatives, That every Perſon who ſhall at any one Time lend the Sum of *One Thousand Pounds* or upwards, to the Province Treſurer for the Uſe of this Government, ſhall be and hereby is exempted from all Trainings, Military-Watches and Wardings, and from all Impreſſes during the Continuance of this Act.

And to the End it may be aſcertained who the Lender is, and that he may have Evidence of his having lent the Sum aforeſaid for the Uſe of this Government:

Be it enacted, That the Perſon whoſe Name ſhall be expreſſed in the Receipt or Obligation given by the Treſurer for the Sum lent (and not any other Perſon to whom ſuch Receipt or Obligation may be made over or endorſed,) ſhall be deemed the Lender; and upon Application made to him, the Treſurer ſhall give a Certificate to ſuch Lender, of his having lent the Sum aforeſaid for the Uſe of this Government: Which Certificate ſhall be a ſufficient Evidence of ſuch Lender's being intitled to the Exemption aforeſaid.

This Act to continue and be in Force for the Space of five Years from the ſixteenth Day of April One Thouſand ſeven Hundred and fifty-fix.

[ The foregoing Act was Published April 16. 1756. ]

*Perſons lending the Government £.1000 to be excuſed from Military Duties.*

*Method to aſcertain who the Lender is.*

*Limitation.*

## Supply of the Treasury.

C H A P. XXXVII.

An Act in Addition to an Act Intituled *An Act for ſupplying the Treasury with the Sum of Sixty Thouſand Pounds.*

Preamble.

**W**HEREAS by an Act made this preſent Year of his Maſteſty's Reign, Intituled An Act for ſupplying the Treasury with the Sum of Sixty Thouſand Pounds, the Province Treafurer is impowered to borrow Forty Thouſand Pounds, of his Excellency the Governour; and a further Sum not exceeding Twenty Thouſand Pounds, of ſuch Perſon or Perſons as ſhall be willing to lend the ſame: And for every Sum borrowed of ſuch Perſon or Perſons to make up the aforeſaid Sum of Twenty Thouſand Pounds, the ſaid Treafurer is directed to give a Receipt and Obligation payable the ſecond Day of June 1757. And in order to draw the ſaid Twenty Thouſand Pounds into the Treasury, ſo as to enable the Treafurer effectually to diſcharge the Receipts and Obligations given therefor, with the Intereſt that may be due thereon; it is in ſaid Act enacted, That a Tax of Twenty two Thouſand Pounds, be levied on Polls and Eſtates both Real and Perſonal within this Province in Manner following, that is to ſay, Eleven Thouſand Pounds, Part thereof according to ſuch Rules and in Proportions on the ſeveral Towns and Diſtricts within this Province, as ſhall be agreed on and ordered by the General Court or Aſſembly at their Session in May 1756, and to be paid into the publick Treasury on or before the 31ſt of March next after: And the further Sum of Eleven Thouſand Pounds, according to ſuch Rules and in ſuch Proportions on the ſeveral Towns and Diſtricts aforeſaid as ſhall be agreed on and ordered by the General Court at their Session in May 1757, and to be paid into the publick Treasury on or before the 31ſt of March then next after; where- by the Receipts and Obligations directed by ſaid Act to be given by the Treafurer for one half of the ſaid Sum of Twenty Thouſand Pounds to be borrowed as aforeſaid, will become payable before the laſt mentioned Tax (which is one of the Funds for the Redemption of ſaid Receipts and Obligations) will be payable into the Treasury: Wherefore in order that the Receipts and Obligations aforeſaid, may be made payable in a ſuitable Time after the ſaid laſt mentioned Tax ſhall be payable into the Treasury; and that no Inconvenience may ariſe in Conſequence of the Act aforeſaid:

Be it enacted by the Governour, Council and Houſe of Repreſentatives, That for one half of the ſaid Twenty Thouſand Pounds which he is impowered to borrow by the Act aforeſaid, the Treafurer ſhall give his Receipts and Obligations in the Form following, viz.

Form of Treafurer's Receipt.

Province of the Maſſachuſetts-Bay,

The

Day of

175

Received of the Sum of for the Uſe and Service of the Province of the Maſſachuſetts-Bay; and in Behalf of ſaid Province, I do hereby promiſe and oblige myſelf and Succeſſors in the Office of Treafurer, to repay the ſaid or Order, on the ſecond Day of June 1758, the aforeſaid Sum of in Coined Silver at Six Shillings and eight Pence per Ounce, or Spaniſh Mill'd Dollars at Six Shillings each, with Intereſt annually at the Rate of Six per Cent. per Annum. Witneſs my Hand, H. G. Treafurer.

Any Thing in the Act aforeſaid to the contrary notwithstanding.

CHAP.



## C H A P. XXXVII.

An Act in Addition to the ſeveral Acts and Laws of this Province now in Force reſpecting Poor and Idle, Diſorderly and Vagrant Perſons.

**W**HEREAS ſome Idle, Diſſolute and Vagrant Perſons having ſome Eſtate and accordingly rateable, take no Care of their Families, nor improve their Eſtates to the beſt Advantage, which Perſons are not under the Care and Inſpection of the Overſeers of the Poor, or the Select-Men of the Town where ſuch Idle Perſons dwell : Preamble:

Be it therefore enacted by the Governour, Council and Houſe of Re-  
preſentatives, That where any Idle, Diſſolute or Vagrant Perſons having a  
rateable Eſtate, do neglect to take due Care of themſelves and their Families, or  
to improve their Eſtates, that in all ſuch Caſes the Overſeers of the Poor or  
the Select-Men of the Town, ſhall be and hereby they are impowred to take  
the like Care and Inſpection of ſuch Perſon or Perſons who neglect the due  
Care and Improvement of their Eſtates, and who miſpend their Time and  
Money, and who live idle, vagrant and diſſolute Lives, as if they were poor,  
indigent and impotent Perſons, and accordingly with the aſſent of two Juſtices  
of the Peace of the ſame County, *Quorum Unus*, put out into orderly Fa-  
milies their Children, if any they have, and improve their Eſtates to the beſt  
Advantage, and apply the Produce and Income thereof towards the Support  
of them and their Families. Overſeers of  
the Poor to  
take under  
Idle, Diſſolute  
Perſons who  
have Eſtates.

Provided, That any of the ſaid idle Perſons thinking themſelves aggrieved,  
may make their Application to and have Remedy from the Juſtices in the  
General ſeſſions of the Peace in the ſame County (if they ſee Cauſe) who  
are hereby impowred to relieve ſuch aggrieved Perſon from the Determi-  
nation of the Select-Men. Proviſo:

And whereas it is apprehended that many adult Perſons both Male and Fe-  
male, who by Virtue of the Laws of this Government, are liable and lawfully  
may be ſent and committed to the Houſe of Correction for the County, or Work-  
houſe for the Town in which ſuch Perſons may reſpectively reſide or be found,  
may be employed and kept to Work with leſs Inconvenience to the Town or Diſtrict  
from whence by Law they may be ſent, and with more Advantage to them who by  
Law are to take the Effects, and receive the Benefit of their Labours, by their  
being employed and kept to Work by a Maſter who ſhould have Power to direct,  
govern and employ them, in and about ſuch Labour and Buſineſs as they can  
beſt perform : Preamble:

Be it enacted, That for the future it ſhall and may be lawful for the  
Overſeers of the Poor of every Town and Diſtrict within this Province,  
where any are ſpecially choſen to that Office, and for the Select-Men of e-  
very Town and Diſtrict where there are no Perſons ſpecially choſen to the  
Office of Overſeers of the Poor, if they ſee meet, and ſuch Overſeers and  
Select-Men reſpectively are hereby authorized and impowred by Indenture  
or by any other Form of Covenant, Agreement or Contract valid and effec-  
tual in Law, to put, place and bind out to Service to ſuch Perſon or Perſons  
as they ſhall judge ſuitable, for a Term not exceeding one Year at the longeſt  
under one and the ſame Contract, any adult Perſon whether Male or Female  
(reſiding and found in their reſpective Towns or Diſtricts) whom they ſhall  
judge liable by Virtue of any Law or Laws of this Government, to be ſent  
and committed to the Houſe of Correction, or Work-houſe from any  
County, Town or Diſtrict in this Province; and the Acts and Doings of ſuch  
Overſeers and Select Men reſpectively, whereby any ſuch Perſon ſhall and  
may Perſons liable  
to the Houſe  
of Correction,  
may be bound  
out to Ser-  
vice,

may be put and bound out to Service pursuant to this Act, shall be as valid and effectual in Law to bind and hold the Person so put to Service, as if any such Person by his her own Act and Consent, being of the Age of twenty-one Years had bound and put out him or herself a Servant for the like Term by Indenture, or by any other legal Form or Manner of Covenant or Contract.

Provido for  
applying to  
the Court of  
General  
Sessions of  
the Peace.

*Provided always,* That it shall be in the Power of the Court of General Sessions of the Peace for the County wherein any such Person shall be put out to Service as aforesaid, by Virtue of this Act; upon Application made to said Court by any such Person so put out to Service, or any on his or her Behalf, if they judge proper, to discharge and make void any Act or Doing of said Overseers or Select-Men, whereby any Person shall be put to Service as aforesaid, and by their Order wholly to annul the same, and set such Person so bound out at Liberty, and free from his or her Master, and also to allow Costs to the Person who shall be set at Liberty by said Court against the Town or District by whose Overseers or Select-Men such Person so set at Liberty shall have been bound out, and to award Execution accordingly.

Upon their  
Order, Con-  
tracts may be  
dissolved.

And in all Cases wherein the said Court of General Sessions of the Peace, shall by their Order discharge and set at Liberty any Person or Persons bound to Service by any Overseers or Select-Men as aforesaid, all Indentures, Covenants, Contracts and Agreements, whereby and under which such Person shall have been bound or put out as aforesaid, shall from and after the Time of such Orders, passing in Sessions, be taken, held and adjudged absolutely void and of no Effect so far as such Indentures, Covenants, Contracts or Agreements, shall respect any Time to come after the Time of such Orders passing.

Use of the  
Earnings of  
the Persons  
bound out.

*And be it further enacted,* That the Proceeds of the Labour and Service of every Person who by Virtue of this Act shall be bound out to Service (over and above the necessary Costs in and about the same) shall be taken by the Overseers or Select-Men respectively, who shall bind out such Person, to be improved and laid out for the Support of the Family or other poor and indigent Kindred (of the Person bound out) with the Maintenance of whom the Person bound out shall by Law be chargeable, if any such Family or Kindred such Person shall have: But if the Person bound out shall have no Family or Kindred with whose Support he or she shall by Law be chargeable, the Proceeds of the Labour of every such Person, not having such Family or Kindred as aforesaid, shall be retained and kept by said Overseers or Select-Men respectively, to be paid by them to such Person bound out as aforesaid, or improved and laid out for his or her Use, Support and Benefit, by said Overseers or Select-Men, in such Manner as to them shall appear most for the Benefit and Advantage of the Person bound out as aforesaid; the said Overseers or Select-Men respectively to determine always whether to pay said Proceeds in Money directly to said Person bound out as aforesaid, or themselves to dispose and lay out the same in some other Manner to such Person's Use; and said Overseers and Select-Men are hereby required and obliged annually at the Town or District Meeting in *March* for the Choice of Town Officers, to exhibit to their respective Towns or Districts a full and true Account of their Disposition of the Earnings and Proceeds of the Labour of all Persons which shall have been bound out by them, not having such Family or Kindred as aforesaid, during the whole last preceeding Year, for such Town's or District's Examination and Allowance.

And for the Proceeds of the Labour and Service of such Person having a Family or Kindred with whom he or she shall be chargeable as aforesaid, such Overseers or Select-Men shall be accountable to the Town or District to which



## Valuation of Eſtates.

227

which ſuch Family or Kindred ſuch Perſon ſhall be chargeable with, ſhall belong and are Inhabitants ; and ſaid Overſeers and Select-Men reſpectively, ſhall pay all the Earnings and Proceeds of the Labour of the Perſon bound out as aforeſaid, who ſhall have ſuch Family and Kindred as aforeſaid, to the Town or Diſtrict (to which ſuch Family or Kindred ſhall belong) or their Order, always excepting a reaſonable Allowance out of ſaid Proceeds to ſaid Overſeers or Select-Men, for their Care, Trouble and Coſt in binding out ſuch Perſon, and taking and recovering the Proceeds aforeſaid ; which Allowance ſaid Overſeers and Select-Men are hereby impowered to retain in their Hands, and in their Account ſaid Overſeers and Select-Men ſhall be allowed all ſuch reaſonable Charge and Coſt incurred, and alſo a reaſonable Reward for their own Care and Trouble in and about the binding out of any ſuch Perſon, and taking and recovering the Proceeds of his or her Labour of the Maſter to whom he or ſhe ſhall be reſpectively bound and put out.

This Act to be in Force for the Space of three Years from the thirtieth of April Current, and no longer.

C H A P. XXXIX.

## An Act for Enquiring into the Rateable Eſtates of the Province.

**W**HEREAS the Rateable Eſtates of the ſeveral Towns and Diſtricts in this Province, may be very much altered ſince the laſt Valuation taken by this Court :

Preamble.

Be it enacted by the Governour, Council and Houſe of Representatives, That the Aſſeſſors of each Town and Diſtrict within this Province who ſhall have been choſen for the Year One Thouſand ſeven Hundred and fifty-fix, ſhall on Oath take and lodge in the Secretary's Office by the laſt Wedneſday in September One Thouſand ſeven Hundred and fifty-fix, a true and perfect Liſt, according to their beſt Skill and Underſtanding, and conformable to a Liſt ſettled and agreed on by the General Court, and to be recorded in the Secretary's Office ; a printed Copy of which ſhall be by the Treasuſer of the Province ſent to the Clerk of each Town and Diſtrict, therein ſetting forth an Account of all Male Polls of ſixteen Years old and upwards, whether at home or abroad, diſtinguiſhing ſuch as are exempt from Rates through Age or otherwiſe, and of all Rateable Eſtates both Real and Perſonal within their reſpective Towns and Diſtricts, and all Farms or Parcels of Land lying adjacent to, and rated in ſuch Town or Diſtrict, and by whom occupied, and what each Perſon's Real Eſtate within the Town or Diſtrict, or adjoining as aforeſaid, may rent for by the Year, and of all Indian, Negro and Molatto Servants, whether for Life or for a Term of Years, and what Number of Veſſels, and of what Burthen, have ſailed from their reſpective Ports to any other Port in the Year One Thouſand ſeven Hundred and fifty-five ; and the ſaid Aſſeſſors in taking ſuch Valuation ſhall diſtinguiſh the different Improvements of the Real Eſtates into the following Parts, viz. Houſes, Paſture and Tillage Land, Salt, Freſh and Engliſh Mowing Land, with the Number of Acres of Orchard ; and what Stock the Paſture ordinarily is capable of feeding, and what Quantity of Produce the ſaid Tillage, Mowing and Orchard Land yearly affords one Year with another, excepting the Governour, Lieutenant-Governour, Preſident, Fellows and Tutors of Harvard College, ſettled Miniſters and Grammar-School Maſters, with their Families, who for their Polls and Eſtates in their own actual Improvement, ſhall be exempted out of this Act ; and the ſaid Aſſeſſors before they enter on this Work, ſhall take the following Oath, viz.

A new Valuation to be taken of the Rateable Eſtates of the Province.

Directions for taking the ſame.

YOU

## Desertion of Soldiers.

Form of the  
Assessors Oath

**Y**OU A. and B. being chosen Assessors for the Town of B, for the Year One Thousand seven Hundred and fifty-six, do severally Swear, that you will faithfully and impartially according to your best Skill and Judgment; do and perform the whole Duty of an Assessor, as directed and enjoined by an Act of this Province made the present Year, Intituled An Act for Enquiring into the Rateable Estates of the Province, without Favour or Prejudice.

So help you GOD.

Fine for Per-  
sons refusing to  
give the As-  
sessor an Ac-  
count of their  
Rateable Es-  
tates.

Which Oath (in such Town or District where no Justice dwells) may be administered by the Town or District Clerk; and every Assessor who shall have been chosen by any Town or District in the Year One Thousand seven Hundred and fifty-six, (accepting such Choice) that shall refuse to take the said Oath, or taking the same shall neglect or refuse to do the Duty required by this Act, or shall any ways prevaricate therein, shall for each of these Offences forfeit and pay a Fine of *five Pounds*; and every Person refusing or neglecting to give such Assessor or Assessors a true Account of his rateable Estate, Improvements or Rents agreeable to the true Intent of this Act when thereunto required by the Assessors, shall for each Offence forfeit and pay the Sum of *twenty Pounds*, and in Case any Account given by any Person in Pursuance of this Act, shall be by the Assessor or Assessors taking the same, suspected of Falshood, it shall be in the Power of either of such Assessors to administer an Oath to the Truth of such Account; and if such suspected Person shall refuse to swear to the Truth of such Account according to his best Judgment when thereunto required by any one of the Assessors, such Refusal shall be deemed a Refusal to give an Account of his rateable Estate, the Person so refusing shall be subject to the Fine in that Case by this Act provided, without further or other Evidence for his Conviction on Trial; and every Assessor shall be allowed out of the Treasury of his respective Town or District, the Sum of *three Shillings* for every Day he shall be necessarily employed in doing the Duty enjoined by this Act.

Assessors Pay.

Copies of the  
last Year's Lists  
to be lodged  
in the Secre-  
tary's Office.

And be it further enacted, That the Assessors of each Town and District in this Province, who were chosen for the Year One Thousand seven Hundred and fifty-five, shall by the last Wednesday in May One Thousand seven Hundred and fifty-six, on Oath transmit to the Secretary's Office a true and perfect Copy of the List and Valuation of Estates, by which they made the Taxes in their particular Towns and Districts for the Year One Thousand seven Hundred and fifty-five, on Penalty that each Assessor neglecting his Duty therein, shall forfeit and pay the Sum of *five Pounds*; all Fines and Forfeitures arising by this Act, may be recovered by Bill, Complaint or Information, or by Action of Debt in any of his Majesty's Courts within this Province proper to try the same, and shall be applied two Thirds to him or them that shall inform or sue for the same, and the other Third to his Majesty to and for the Use of this Government.

Recovery of  
Fines.

## C H A P. XL.

An Act for preventing and punishing the Desertion of Soldiers in the Expedition against *Crown-Point*, or in Defence of the Frontiers of this Government.

Preamble.

**W**HEREAS Soldiers duly enlisted, or to be enlisted or impressed for the present Expedition against *Crown-Point*, or for the Defence of the Frontiers of this Province have deserted, and may hereafter desert, and be found wandering or otherwise absenting themselves illegally from his Majesty's Service:



## Supply of the Treafury.

229

Be it therefore enacted by the Governour, Council and Houſe of Representatives, That it ſhall and may be lawful for the Sheriff of any County or either of his Deputies, or any Conſtable or Tything-Man of the Town or Place, or any other Perſon where any Perſon who may be reaſonably ſuſpected to be ſuch a Deſerter ſhall be found, to apprehend or cauſe him to be apprehended, and to cauſe ſuch Perſon to be brought before any Juſtice of the Peace living in or near ſuch Town or Place, who hath hereby Power to examine ſuch ſuſpected Perſon, and if by his Confeſſion or the Teſtimony of one or more Witneſs. or Witneſſes upon Oath, or by the Knowledge of ſuch Juſtice of the Peace or any other Proof, it ſhall appear or be found that ſuch ſuſpected Perſon is a liſted or impreſſed Soldier as aforeſaid, though liſted or impreſſed in any other Government, and that he ought to be with the Troop or Company to which he belongs, ſuch Juſtice of the Peace ſhall forthwith cauſe him to be conveyed to the Goal of the County or Place where he ſhall be found, and tranſmit an Account thereof to the Commander in Chief, or Secretary of this Province; and ſuch Deſerter ſhall be returned to his Service by the firſt Opportunity, and the Keeper of ſuch Goal ſhall receive the full Subſiſtence of ſuch Deſerter or Deſerters during the Time that he or they ſhall continue in his Cuſtody, for the Maintenance of the ſaid Deſerter or Deſerters, but ſhall not be intitled to any Fee or Reward on Account of the Imprifonment of ſuch Deſerter or Deſerters.

Sheriffs, Conſtables, &c. may apprehend Deſerters &c.

And for the better Encouragement of any Perſon or Perſons to ſecure and apprehend ſuch Deſerter or Deſerters:

Be it further enacted, That upon the Certificate of ſuch Juſtice of the Peace to the Province Treafurer, there ſhall be paid by him to ſuch Perſons as ſhall apprehend or cauſe to be apprehended any Deſerter from his Maſteſty's ſaid Service, *forty Shillings* and the Coſts of Proſecution, to be deducted out of his Wages for every Deſerter that ſhall be ſo apprehended and committed.

Allowance for apprehending Deſerters.

## C H A P. XLI.

An Act impowering the Province Treafurer to borrow the Sum of *Ten Thouſand Pounds*, and for applying the ſame to deſtey the Charges of the intended Expedition againſt *Crown-Point*.

Be it enacted by the Governour, Council and Houſe of Representatives, That the Treafurer of the Province be and he hereby is impowered and directed to borrow of ſuch Perſons as ſhall be willing to lend the ſame, a Sum not exceeding *Ten Thouſand Pounds* in Spaniſh mill'd Dollars at *ſix Shillings* each, or in other coined Silver of Sterling Alloy, at *ſix Shillings and eight Pence* per Ounce; and the Sum ſo borrowed ſhall be applied by the Treafurer for the Payment of ſuch Draughts as ſhall be drawn on him by the Governour or Commander in Chief for the Time being by and with the Advice of the Council, for the Service of the intended Expedition againſt *Crown-Point*; and for every Sum ſo borrowed the Treafurer ſhall give a Receipt and Obligation in the Form following, *viz.*

Treafurer impowered to borrow £. 10,000.

Province of the *Maſſachuſetts-Bay*,

The \_\_\_\_\_ Day of \_\_\_\_\_

Received of \_\_\_\_\_ the Sum of \_\_\_\_\_ for the Uſe and Service of the Province of the *Maſſachuſetts-Bay*; and in Behalf of ſaid Province, I do hereby promiſe and oblige my Self and Succeſſors in the Office of Treafurer, to Re-pay the ſaid \_\_\_\_\_ or Order, on or before the tenth Day of *June 1758*, the aforeſaid Sum of \_\_\_\_\_ in Coined Silver of Sterling Alloy, at *Six Shillings and eight Pence* per Ounce, or in Spaniſh mill'd Dollars of full Weight, at *Six Shillings* each, with Intereſt annually at the Rate of Six per Cent. per Annum.

Witness my Hand,

A. B. Treafurer.

[ P p p ]

Provided

Form of Treafurer's Receipt.

## Supply of the Treasury.

Provided that no Receipt shall be given for a less Sum than six Pounds. And to enable the said Treasurer to discharge the said Obligations, and the Interest that shall be due thereon :

**Tax of £. 11, 500 in 1757.** Be it further enacted, That there be and hereby there is granted to his most excellent Majesty, a Tax of *Eleven Thousand five Hundred Pounds*, to be levied upon the Polls and Estates within this Province according to such Rules as shall be ordered by the General Court of this Province at their Sessions in May One Thousand seven Hundred and fifty seven.

**Tax for the Money hereby emitted to be made according to the last Tax-Act, in Case.**

And be it further enacted, That in Case the General Court shall not by the twentieth Day of June One Thousand seven Hundred and fifty seven, agree and conclude upon a Tax Act to draw into the Treasury the aforesaid Sum of *Eleven Thousand five Hundred Pounds* by the thirty-first Day of March then next following, that then the Treasurer of the Province for the Time being, shall issue his Warrants directed to the Select-Men or Assessors of the several Towns and Districts within this Province, requiring them respectively to assess levy and pay in to the Treasury by the said thirty-first Day of March, their respective Proportions of said Sum, according to the Rates and Proportions, Rules and Directions of the Tax Act then last preceeding.

**Preamble.**

And whereas humble Trust and Dependence is had by the General Assembly on a Reimbursement of the Charges arising from the Expeditions against Crown-Point, and Monies for that Purpose are expected from Great Britain :

Wherefore as a further Fund to enable the Treasurer to discharge the Receipts and Obligations aforesaid by him given in Pursuance of this Act :

**Treasurer to apply the Money that may be received from Great-Britain, for the Payment of the Money borrowed.**

Be it further enacted, That the Monies that shall be received from Great-Britain, over and above what have been appropriated for the Re-payment of certain Sums which the Treasurer by divers Acts has been directed to borrow, shall be applied by the said Treasurer, or so much thereof as shall be needful for the discharging said Obligations, with the Interest that may be due thereon in Pursuance of this Act.

**Tax not to go forth in Case.**

Provided always, (any Thing in this Act to the contrary notwithstanding) that in Case the Monies aforesaid shall arrive from Great-Britain, and be received into the Province Treasury on or before the twentieth Day of June One Thousand seven Hundred and fifty seven (over and above what shall be sufficient to repay the Sums borrowed by Virtue of the Acts aforesaid) and shall be sufficient for discharging the Obligations given by the Treasurer in Pursuance of this Act, then and in such Case the Tax which otherwise by this Act is ordered to go forth shall be and hereby is declared to be null and void.

**Proviso in Case of a Surplusage.**

Provided also, That the Remainder of the Sum that may be brought in by the Tax ordered by this Act to be assessed and levied over and above what shall be sufficient to discharge the Obligations aforesaid (with the Interest that may be due thereon) shall be and remain as a Stock in the Treasury, and be applied as the General Court of this Province shall hereafter order.

[ The five foregoing Acts were Published April 21. 1756.

\*\*\*\*\*

B O S T O N . N . E .

Printed by S. KNEELAND, by Order of the GOVERNOUR, COUNCIL and House of REPRESENTATIVES. MDCCLVI.

\*\*\*\*\*



